

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 1-16 remain in this application and, as amended herein, are submitted for the Examiner's reconsideration.

In the Office Action, claims 6 and 13 were rejected under 35 U.S.C. § 101. Claims 6 and 13 have been amended in the manner suggested in the Office Action,

Therefore, Applicant submits that claims 6 and 13 are in full compliance with the requirements of 35 U.S.C. § 101.

Turning now to the art rejection, claims 1-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable Hendricks (U.S. Patent No. 5,659,350) in view of Tsukakoshi (U.S. Patent No. 5,086,426) and Ihara (U.S. Patent No. 6,266,813). However, under 35 U.S.C. § 103(c), Ihara is disqualified from being relied on as prior art for the purpose of showing obviousness.

The present application claims priority from Japanese Application No. 2001-044553 filed February 21, 2001. Therefore, the priority date of the present application is February 21, 2001.

Ihara issued on July 24, 2001 from an application filed on May 10, 1999 therefore qualifies as prior art under 35 U.S.C. § 102(e). Ihara is assigned to Sony Corporation, the assignee of the present application. Both Ihara and the present application were owned by Sony Corporation at the time of the invention disclosed and claimed in the present application. Therefore, Ihara is disqualified under 35 U.S.C. § 103(c) from being relied on as prior art for the purpose of showing obviousness.

Accordingly, Applicant respectfully requests the withdrawal of the rejections under 35 U.S.C. §§ 101 and 103(a).

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,  
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